

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHEASTERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

WALGREEN CO., )  
                        )  
                        )  
Plaintiff,           )  
                        )  
                        )  
v.                     )                           Civil Action No. 1:23-cv-17067  
                        )  
                        )  
WALGREEN HEALTH SOLUTIONS, LLC and   )  
CHARLES R. WALGREEN,                    )  
                        )  
Defendants.           )

**DEFENDANTS' UNOPPOSED MOTION TO AMEND AND/OR STRIKE  
DEADLINE TO FILE DISPOSITIVE MOTIONS**

Defendants Walgreen Health Solutions, LLC (“WHS”) and Charles R. Walgreen (collectively, “Defendants”), by and through their attorneys, O’HAGAN MEYER LLC, hereby move for an extension of deadline to file dispositive motions, or alternatively, strike the current deadline of November 1, 2024.

1. Plaintiff filed a Motion for Preliminary Injunction and Expedited Discovery on January 31, 2024 [Dkt. 25].

2. On May 13, 2024, Plaintiff filed a Notice of Withdrawal of its Motion for Preliminary Injunction [Dkt. 54] and an Unopposed Motion for Scheduling Order in Connection with Notice of Withdrawal of Motion for Preliminary Injunction [Dkt. 55].

3. The Motion for Scheduling Order in Connection with Notice of Withdrawal [Dkt. 55] proposed a deadline of November 1, 2024 for the filing of dispositive Motions.

4. The Court granted the Motion for Scheduling Order in Connection with Notice of Withdrawal as reflected in its Minute Entry before Judge Kendall on May 14, 2024, setting the deadline for dispositive Motions to November 1, 2024 [Dkt. 57].

5. On July 30, 2024, Plaintiff filed an Unopposed Motion to Amend Scheduling Order, which proposed a deadline for dispositive motions of December 6, 2024 [Dkt. 65].

6. On August 7, 2024, the Court referred “Discovery Supervision regarding all remaining Discovery disputes, including the Motion to amend/correct scheduling order [65] . . . ” to Judge Weisman.

7. On August 15, 2024, a Motion hearing was held, and Judge Weisman granted the Unopposed Motion to Amend Scheduling Order [Dkt. 65], in part. However, he declined to extend the deadline to file dispositive motions as outside of his purview.

8. On October 16, the Parties submitted a Joint Status Report Regarding Additional Deposition Time and Expert Discovery [Dkt. 102]. The Court adopted the parties’ proposed expert witness schedule, setting the deadline for opening reports to November 22, 2024 and the deadline to conclude expert depositions to February 28, 2025 [Dkt. 104]. The Court also indicated that a future schedule would set for dispositive motions [Dkt. 104], but the November 1, 2024 date has not been formally stricken, yet.

9. In light of the newly adopted expert discovery schedule, the Parties agree that the deadline to file dispositive motions should be no earlier than March 31, 2025.

WHEREFORE, Defendants respectfully request that this Court grant their Unopposed Motion to Amend Deadline to File Dispositive Motions to March 31, 2025, or alternatively, strike the current dispositive motion deadline of November 1, 2024.

Dated: October 23, 2024

Respectfully Submitted,

Kevin M. O’Hagan

O’HAGAN MEYER LLC

Shane M. Bradwell

Clarissa K. Pintado

O’HAGAN MEYER, LLC

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